

FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 28 2023

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DEPUTY
YAKIMA, WASHINGTON

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9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

Case No.: 1:23-CR-2036-MKD-1

12 Plaintiff,

Plea Agreement

13 v.

14 RONALD LEE RALSTON, Jr.,

15 Defendant.

16 Plaintiff United States of America, by and through Vanessa R. Waldref,
17 United States Attorney the Eastern District of Washington, and Christopher J.
18 Bridger, Assistant United States Attorney for the Eastern District of Washington,
19 and Defendant Ronald Lee Ralston, Jr. ("Defendant"), both individually and by
20 and through Defendant's counsel, Ulvar Klein, agree to the following Plea
21 Agreement.

22 1. Guilty Plea and Maximum Statutory Penalties

23 Defendant agrees to enter a plea of guilty to the sole Count of the Indictment
24 filed on June 13, 2023, which charges Defendant with Conspiracy to Distribute
25 500 Grams or More of Methamphetamine, in violation of 21 U.S.C. § 841(a)(1),
26 (b)(1)(A)(viii); all in violation of 21 U.S.C. § 846, a Class A felony.

27 Defendant understands that the following potential penalties apply:
28

- a. a term of imprisonment of not less than 10 years and up to a lifetime;
- b. a term of supervised release of not less than 5 years and up to a lifetime;
- c. a fine of up to \$10,000,000;
- d. a \$100 special penalty assessment; and
- e. denial of certain federal benefits pursuant to 21 U.S.C. §§ 862 and 862a.

2. Supervised Release

Defendant understands that if Defendant violates any condition of Defendant's supervised release, the Court may revoke Defendant's term of supervised release, and require Defendant to serve in prison all or part of the term of supervised release authorized by statute for the offense that resulted in such term of supervised release without credit for time previously served on postrelease supervision, up to the following terms:

- a. 5 years in prison if the offense that resulted in the term of Supervised Release is a class A felony,
- b. 3 years in prison if the offense that resulted in the term of Supervised Release is a class B felony, and/or
- c. 2 years in prison if the offense that resulted in the term of Supervised Release is a class C felony.

Accordingly, Defendant understands that if Defendant commits one or more violations of supervised release, Defendant could serve a total term of incarceration greater than the maximum sentence authorized by statute for Defendant's offense or offenses of conviction.

3. The Court is Not a Party to this Plea Agreement

1 The Court is not a party to this Plea Agreement and may accept or reject it.
2 Defendant acknowledges that no promises of any type have been made to
3 Defendant with respect to the sentence the Court will impose in this matter.

4 Defendant understands the following:

- 5 a. sentencing is a matter solely within the discretion of the Court;
- 6 b. the Court is under no obligation to accept any recommendations
7 made by the United States or Defendant;
- 8 c. the Court will obtain an independent report and sentencing
9 recommendation from the United States Probation Office;
- 10 d. the Court may exercise its discretion to impose any sentence it
11 deems appropriate, up to the statutory maximum penalties;
- 12 e. the Court is required to consider the applicable range set forth
13 in the United States Sentencing Guidelines, but may depart
14 upward or downward under certain circumstances; and
- 15 f. the Court may reject recommendations made by the United
16 States or Defendant, and that will not be a basis for Defendant
17 to withdraw from this Plea Agreement or Defendant's guilty
18 plea.

19 4. Potential Immigration Consequences of Guilty Plea

20 If Defendant is not a citizen of the United States, Defendant understands the
21 following:

- 22 a. pleading guilty in this case may have immigration
23 consequences;
- 24 b. a broad range of federal crimes may result in Defendant's
25 removal from the United States, including the offense to which
26 Defendant is pleading guilty;
- 27 c. removal from the United States and other immigration
28 consequences are the subject of separate proceedings; and

1 d. no one, including Defendant's attorney or the Court, can predict
2 with absolute certainty the effect of a federal conviction on
3 Defendant's immigration status.

4 Defendant affirms that Defendant is knowingly, intelligently, and voluntarily
5 pleading guilty as set forth in this Plea Agreement, regardless of any immigration
6 consequences that Defendant's guilty plea may entail.

7 5. Denial of Federal Benefits

8 Defendant understands that by entering this plea of guilty, Defendant is no
9 longer eligible for assistance under any state program funded under part A of Title
10 IV of the Social Security Act (concerning Temporary Assistance for Needy
11 Families) or benefits under the food stamp program or any state program carried
12 out under the Food Stamp Act. 21 U.S.C. § 862a. Defendant also understands that
13 the Court may deny Defendant's eligibility for any grant, contract, loan,
14 professional license, or commercial license provided by an agency of the United
15 States or by appropriated funds of the United States. 21 U.S.C. § 862.

16 6. Waiver of Constitutional Rights

17 Defendant understands that by entering this guilty plea, Defendant is
18 knowingly and voluntarily waiving certain constitutional rights, including the
19 following:

- 20 a. the right to a jury trial;
21 b. the right to see, hear and question the witnesses;
22 c. the right to remain silent at trial;
23 d. the right to testify at trial; and
24 e. the right to compel witnesses to testify.

25 While Defendant is waiving certain constitutional rights, Defendant
26 understands that Defendant retains the right to be assisted by an attorney through
27 the sentencing proceedings in this case and any direct appeal of Defendant's
28

1 conviction and sentence, and that an attorney will be appointed at no cost if
2 Defendant cannot afford to hire an attorney.

3 Defendant understands and agrees that any defense motions currently
4 pending before the Court are mooted by this Plea Agreement, and Defendant
5 expressly waives Defendant's right to bring any additional pretrial motions.

6 7. Elements of the Offense

7 The United States and Defendant agree that in order to convict Defendant of
8 Conspiracy to Distribute 500 Grams or More of Methamphetamine, in violation of
9 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii); all in violation of 21 U.S.C. § 846, the
10 United States would have to prove the following beyond a reasonable doubt.

- 11 a. *First*, beginning on a date unknown, but by or on or about May
12 4, 2023, and continuing until on or about June 7, 2023, within
13 the Eastern District of Washington, there was an agreement
14 between two or more persons to distribute 500 grams or more
15 of a mixture or substance containing a detectable amount of
16 methamphetamine, a schedule II controlled substance; and
17 b. *Second*, the Defendant knowingly and intentionally joined in
18 the agreement knowing of its purpose and intending to help
19 accomplish that purpose.

20 8. Factual Basis and Statement of Facts

21 The United States and Defendant stipulate and agree to the following: the
22 facts set forth below are accurate; the United States could prove these facts beyond
23 a reasonable doubt at trial; and these facts constitute an adequate factual basis for
24 Defendant's guilty plea.

25 The United States and Defendant agree that this statement of facts does not
26 preclude either party from presenting and arguing, for sentencing purposes,
27 additional facts that are relevant to the Sentencing Guidelines computation or
28 sentencing, unless otherwise prohibited in this Plea Agreement.

1 Federal Bureau of Investigations Task Force members received reports that
2 Defendant (Ronald Lee Ralston, Jr.) and Jesse Lee Johnson were distributing large
3 quantities of methamphetamine and fentanyl from Defendant's residence in Selah,
4 WA.

5 As a result of their investigation, FBI Task Force members set up an
6 unsuccessful controlled buy between Defendant and Jesse Johnson on May 4,
7 2023. The confidential human source arrived at Defendant's residence in Selah,
8 WA, located in the Eastern District of Washington, and attempted to purchase
9 methamphetamine from the Defendant. The Defendant stated that the
10 methamphetamine that he had on hand was already spoken for and not available
11 for sale that day. However, the Defendant and Jesse Johnson were both captured
12 on video discussing the future purchase of controlled substances to the confidential
13 human source.

14 Based on the previous discussion between the confidential human source,
15 Defendant, and Jesse Johnson discussing the future purchase of drugs, a second
16 controlled buy was set up on May 16, 2023. The confidential human source and
17 their vehicle were checked for contraband prior to the controlled buy. The
18 confidential human source was provided with \$2,000 in buy funds and an audio-
19 visual recorder. The audio-visual recorder was monitored during the conduct of
20 the controlled buy. The controlled buy took place at Defendant's residence located
21 in Selah, WA. As previously agreed between the parties, the confidential human
22 source arrived and the Defendant gave the confidential human source
23 approximately a pound of methamphetamine. Jesse Johnson gave the confidential
24 human source approximately 100 pills of fentanyl. The confidential human source
25 handed Jesse Johnson the \$2,000 in buy funds. The Defendant told the
26 confidential human source that he could get the confidential human source any
27 methamphetamine and fentanyl required with 24-hour notice. The Defendant and
28 Jesse Johnson were seen with firearms during the controlled purchase. The

1 confidential human source then left the residence and gave the drugs to law
2 enforcement, which were field tested and entered into evidence.

3 A search warrant was issued by the District Court for the Eastern District of
4 Washington and later executed by law enforcement on June 7, 2023 to search the
5 Defendant's residence for evidence related to drug distribution. In the Defendant's
6 trailer located on the property, law enforcement seized approximately 1.5 pounds
7 of methamphetamine, other controlled substances, and two firearms. Law
8 enforcement seized another firearm and approximately .5 pounds of
9 methamphetamine inside the main residence on the property.

10 Defendant stipulates that by on or about May 4, 2023 and continuing until
11 on or about June 7, 2023, within the Eastern District of Washington, that the
12 Defendant and Jesse Lee Johnson knowingly and intentionally agreed and
13 conspired to distribute 500 grams or more of a mixture or substance containing a
14 detectable amount of methamphetamine, a schedule II controlled substance.

15 Defendant knowingly and intentionally joined in the agreement knowing of
16 its purpose and intending to help accomplish that purpose.

17 9. Drug Quantity

18 The United States and Defendant agree and stipulate that 1,187 grams of
19 pure methamphetamine and 70.67 net weight grams of fentanyl was possessed with
20 intent to distribute or actually distributed in furtherance of the criminal activity
21 jointly undertaken by Defendant and Jesse Lee Johnson; this amount was within
22 the scope of Defendant's agreement; this amount was reasonably foreseeable to
23 Defendant in connection with the conspiracy; and Defendant's relevant conduct for
24 sentencing purposes should be calculated based on this amount, pursuant to
25 U.S.S.G. § 1B1.3.

26 10. The United States' Agreements

27 The United States Attorney's Office for the Eastern District of Washington
28 agrees not to bring additional charges against Defendant based on information in

1 its possession at the time of this Plea Agreement that arise from conduct that is
2 either charged in the Indictment or identified in discovery produced in this case,
3 unless Defendant breaches this Plea Agreement before sentencing.

4 11. United States Sentencing Guidelines Calculations

5 Defendant understands and acknowledges that the United States Sentencing
6 Guidelines (“U.S.S.G.” or “Guidelines”) apply and that the Court will determine
7 Defendant’s advisory range at the time of sentencing, pursuant to the Guidelines.
8 The United States and Defendant agree to the following Guidelines calculations.

9 a. Base Offense Level

10 The United States and the Defendant agree that the base offense level for
11 Conspiracy to Distribute 500 Grams or More of Methamphetamine is 34. U.S.S.G.
12 § 2D1.1(a)(5); (c)(3).

13 b. Special Offense Characteristics

14 The United States and the Defendant agree that the Defendant’s base offense
15 level is increased by 2 levels for possessing a dangerous weapon. U.S.S.G.
16 § 2D1.1(b)(1).

17 c. Acceptance of Responsibility

18 The United States will recommend that Defendant receive a downward
19 adjustment for acceptance of responsibility, pursuant to U.S.S.G. § 3E1.1(a), (b), if
20 Defendant does the following:

- 21 i. accepts this Plea Agreement;
- 22 ii. enters a guilty plea at the first Court hearing that takes
- 23 place after the United States offers this Plea Agreement;
- 24 iii. demonstrates recognition and affirmative acceptance of
- 25 Defendant’s personal responsibility for Defendant’s
- 26 criminal conduct;
- 27 iv. provides complete and accurate information during the
- 28 sentencing process; and

1 v. does not commit any obstructive conduct.

2 The United States and Defendant agree that at its option and on written
3 notice to Defendant, the United States may elect not to recommend a reduction for
4 acceptance of responsibility if, prior to the imposition of sentence, Defendant is
5 charged with, or convicted of, any criminal offense, or if Defendant tests positive
6 for any controlled substance.

7 d. No Other Agreements

8 The United States and Defendant have no other agreements regarding the
9 Guidelines or the application of any Guidelines enhancements, departures, or
10 variances. Defendant understands and acknowledges that the United States is free
11 to make any sentencing arguments it sees fit, including arguments arising from
12 Defendant's uncharged conduct, conduct set forth in charges that will be dismissed
13 pursuant to this Agreement, and Defendant's relevant conduct.

14 e. Criminal History

15 The United States and Defendant have no agreement and make no
16 representations about Defendant's criminal history category, which will be
17 determined by the Court after the United States Probation Office prepares and
18 discloses a Presentence Investigative Report.

19 12. Safety Valve

20 The United States and the Defendant stipulate and agree that the Defendant
21 is not eligible for the safety valve provisions of 18 U.S.C. § 3553(f) and U.S.S.G. §
22 5C1.2.

23 13. Incarceration

24 The United States agrees to recommend that the Court impose a sentence at
25 the low end of the Guidelines, as calculated by the Court.

26 Defendant may recommend any legal sentence.

27 14. Supervised Release

1 The United States and Defendant each agree to recommend 5 years of
2 supervised release. Defendant agrees that the Court's decision regarding the
3 conditions of Defendant's Supervised Release is final and non-appealable; that is,
4 even if Defendant is unhappy with the conditions of Supervised Release ordered by
5 the Court, that will not be a basis for Defendant to withdraw Defendant's guilty
6 plea, withdraw from this Plea Agreement, or appeal Defendant's conviction,
7 sentence, or any term of Supervised Release.

8 The United States and Defendant agree to recommend that in addition to the
9 standard conditions of supervised release imposed in all cases in this District, the
10 Court should also impose the following conditions:

- 11 a. The United States Probation Officer may conduct, upon
12 reasonable suspicion, and with or without notice, a search of
13 Defendant's person, residences, offices, vehicles, belongings,
14 and areas under Defendant's exclusive or joint control.
15 b. Defendant shall participate and complete such drug testing and
16 drug treatment programs as the Probation Officer directs.

17 15. Criminal Fine

18 The United States and Defendant may make any recommendation
19 concerning the imposition of a criminal fine. Defendant acknowledges that the
20 Court's decision regarding a fine is final and non-appealable; that is, even if
21 Defendant is unhappy with a fine ordered by the Court, that will not be a basis for
22 Defendant to withdraw Defendant's guilty plea, withdraw from this Plea
23 Agreement, or appeal Defendant's conviction, sentence, or fine.

24 16. Judicial Forfeiture

25 Defendant, RONALD LEE RALSTON, Jr., agrees to voluntarily forfeit and
26 relinquish all right, title and interest he has in the following listed assets to the
27 United States:

- 28 - \$1,655.66 U.S. currency;

- 1 - a 12 Gauge Browning shotgun, bearing serial number 88645;
- 2 - a New England 12 Gauge shotgun, bearing serial number NX504158;
- 3 - a black rifle, no manufacturer, no model, no serial number; and,
- 4 - any and all seized ammunition, magazines and other accessories

5 Defendant acknowledges that the assets listed above are subject to forfeiture
6 to the United States pursuant to 21 U.S.C. § 853 for the offense Conspiracy to
7 Distribute 500 Grams or More of Methamphetamine, in violation of 21 U.S.C. §
8 841(a)(1), (b)(1)(A)(viii); all in violation of 21 U.S.C. § 846.

9 Defendant agrees to take all steps as requested by the United States to pass
10 clear title to the assets to the United States and to testify truthfully in any forfeiture
11 proceeding. Defendant agrees to hold all law enforcement agents and the United
12 States, its agents, and its employees harmless from any claims whatsoever arising
13 in connection with the seizure, abandonment, or forfeiture of any asset covered by
14 this agreement.

15 Defendant further agrees to waive all constitutional and statutory challenges
16 in any manner (including direct appeal, habeas corpus, or any other means) to any
17 forfeiture carried out in accordance with this Plea Agreement on any grounds,
18 including that the forfeiture constitutes an excessive fine or punishment. Defendant
19 knowingly and voluntarily waives his right to a jury trial on the forfeiture of the
20 asset(s). Defendant waives oral pronouncement of forfeiture at the time of
21 sentencing, and any defects that may pertain to the forfeiture.

22 Defendant waives further notice of any federal, state or local proceedings
23 involving the forfeiture of the seized assets the Defendant is agreeing to forfeit in
24 this Plea Agreement.

25 17. Mandatory Special Penalty Assessment

26 Defendant agrees to pay the \$100 mandatory special penalty assessment to
27 the Clerk of Court for the Eastern District of Washington, pursuant to 18 U.S.C.
28 § 3013.

1 18. Payments While Incarcerated

2 If Defendant lacks the financial resources to pay the monetary obligations
3 imposed by the Court, Defendant agrees to earn money toward these obligations by
4 participating in the Bureau of Prisons' Inmate Financial Responsibility Program.

5 19. Additional Violations of Law Can Void Plea Agreement

6 The United States and Defendant agree that the United States may, at its
7 option and upon written notice to the Defendant, withdraw from this Plea
8 Agreement or modify its sentencing recommendation if, prior to the imposition of
9 sentence, Defendant is charged with or convicted of any criminal offense or tests
10 positive for any controlled substance.

11 20. Waiver of Appeal Rights

12 Defendant understands that Defendant has a limited right to appeal or
13 challenge Defendant's conviction and the sentence imposed by the Court.

14 Defendant expressly waives all of Defendant's rights to appeal Defendant's
15 conviction and the sentence the Court imposes.

16 Defendant expressly waives Defendant's right to appeal any fine, term of
17 supervised release, or restitution order imposed by the Court.

18 Defendant expressly waives the right to file any post-conviction motion
19 attacking Defendant's conviction and sentence, including a motion pursuant to 28
20 U.S.C. § 2255, except one based on ineffective assistance of counsel arising from
21 information not now known by Defendant and which, in the exercise of due
22 diligence, Defendant could not know by the time the Court imposes sentence.

23 Nothing in this Plea Agreement shall preclude the United States from
24 opposing any post-conviction motion for a reduction of sentence or other attack
25 upon the conviction or sentence, including, but not limited to, writ of habeas
26 corpus proceedings brought pursuant to 28 U.S.C. § 2255.

27 21. Withdrawal or Vacatur of Defendant's Plea

1 Should Defendant successfully move to withdraw from this Plea Agreement
2 or should Defendant's conviction be set aside, vacated, reversed, or dismissed
3 under any circumstance, then:

- 4 a. this Plea Agreement shall become null and void;
5 b. the United States may prosecute Defendant on all available
6 charges;
7 c. The United States may reinstate any counts that have been
8 dismissed, have been superseded by the filing of another
9 charging instrument, or were not charged because of this Plea
10 Agreement; and
11 d. the United States may file any new charges that would
12 otherwise be barred by this Plea Agreement.

13 The decision to pursue any or all of these options is solely in the discretion
14 of the United States Attorney's Office.

15 Defendant agrees to waive any objections, motions, and/or defenses
16 Defendant might have to the United States' decisions to seek, reinstate, or reinitiate
17 charges if a count of conviction is withdrawn, set aside, vacated, reversed, or
18 dismissed, including any claim that the United States has violated Double
19 Jeopardy.

20 Defendant agrees not to raise any objections based on the passage of time,
21 including but not limited to, alleged violations of any statutes of limitation or any
22 objections based on the Speedy Trial Act or the Speedy Trial Clause of the Sixth
23 Amendment.

24 22. Integration Clause

25 The United States and Defendant acknowledge that this document
26 constitutes the entire Plea Agreement between the United States and Defendant,
27 and no other promises, agreements, or conditions exist between the United States
28 and Defendant concerning the resolution of the case.

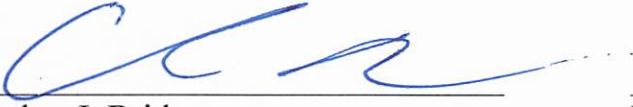
1 This Plea Agreement is binding only on the United States Attorney's Office
2 for the Eastern District of Washington, and cannot bind other federal, state, or local
3 authorities.

4 The United States and Defendant agree that this Agreement cannot be
5 modified except in a writing that is signed by the United States and Defendant.

6 Approvals and Signatures

7 Agreed and submitted on behalf of the United States Attorney's Office for
8 the Eastern District of Washington.

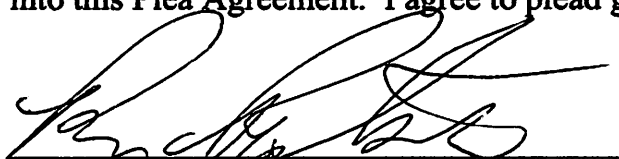
9 Vanessa R. Waldref
10 United States Attorney

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13 Christopher J. Bridger
14 Assistant United States Attorney

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Date


28 Nov 23

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4 I have read this Plea Agreement and I have carefully reviewed and discussed
5 every part of this Plea Agreement with my attorney. I understand the terms of this
6 Plea Agreement. I enter into this Plea Agreement knowingly, intelligently, and
7 voluntarily. I have consulted with my attorney about my rights, I understand those
8 rights, and I am satisfied with the representation of my attorney in this case. No
9 other promises or inducements have been made to me, other than those contained
10 in this Plea Agreement. No one has threatened or forced me in any way to enter
11 into this Plea Agreement. I agree to plead guilty because I am guilty.

12
13 
14 Ronald Lee Ralston, Jr.
15 Defendant

11/21/2023
Date

16 I have read the Plea Agreement and have discussed the contents of the
17 agreement with my client. The Plea Agreement accurately and completely sets
18 forth the entirety of the agreement between the parties. I concur in my client's
19 decision to plead guilty as set forth in the Plea Agreement. There is no legal
20 reason why the Court should not accept Defendant's guilty plea.

21
22 
23 Ulvar Klein
Attorney for Defendant

11/21/2023
Date